

03 CO \$7
Docket No.: PA-0033 US

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Sequence, P.O. Box 2327, Arlington, VA 22202 on August 9, 2002.

By: Joyce Abriam

Printed: Joyce Abriam

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Schebye et al.

Title: CDNAS EXPRESSED IN ADIPOCYTE DIFFERENTIATION

Serial No.: 09/918,624

Filing Date: July 30, 2001

Examiner: Duffy, P.

Group Art Unit: 1645

Box Sequence
United States Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

TRANSMITTAL FEE SHEET

Sir:

Transmitted herewith are the following for the above-identified application:

1. Return Receipt Postcard;
2. Response to Notice to Comply (1 pg.); 9 pp.
3. Copy of said Notice to Comply (10 pp.);
4. Substitute Submission Under 37 CFR § 1.821-1.825 Sequence Listing (1 pg.);
5. One (1) Subsute computer-readable CDR; and
6. Petition for Extension of Time - Three (3) months (1pg.).

The fee has been calculated as shown below.

No additional Fee is required.

X Fee for Petition for Extension of Time Under 37 CFR - 1.17(a) - 3 Mo(s). \$ 920.00

X Please charge Deposit Account No. **09-0108** in the amount of : \$ 920.00

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17, or credit overpayment to Deposit Account No. 09-0108. A **duplicate copy of this sheet is enclosed**.

Respectfully submitted,

INCYTE GENOMICS, INC.

Date: 09 August 2002

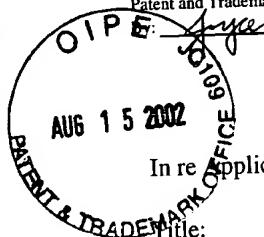
for Karen C. Steeves Reg. No. 37,027
Lynn E. Murry, Ph.D.
Reg. No. 42,918
Direct Dial Telephone: (650) 845-4159

3160 Porter Drive
Palo Alto, California 94304
Phone: (650) 855-0555
Fax: (650) 845-4166

98920

Certificate of Mailing

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 Printed: Joyce Abriam



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Schebye et al.

CDNAS EXPRESSED IN ADIPOCYTE DIFFERENTIATION

Serial No.: 09/918,624

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Group Art Unit: 1645

United States Patent and Trademark Office
 Box Sequence, P.O. Box 2327
 Arlington, VA 22202

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
 NUCLEOTIDE SEQUENCE
 AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Sir:

In response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures mailed by the United States Patent and Trademark Office on March 20, 2002 (copy attached), Applicants submit the following documents to complete the filing for the above-identified patent application. The period of time for response has been extended until August 20, 2002, by the accompanying Petition and fee.

1. **Substitute** Submission Under 37 CFR §1.821-1.825 Sequence Listing (1 pg);
2. One (1) **Substitute** computer-readable CD-R; and
3. Petition for Extension of Time (3 months) (1 pg.).

Applicants believe that a fee is not necessary with this communication. However, if the Commissioner determines that additional fees are due or that an excess fee has been paid, the Patent Office is authorized to debit or credit (respectively) Deposit Account No. **09-0108**.

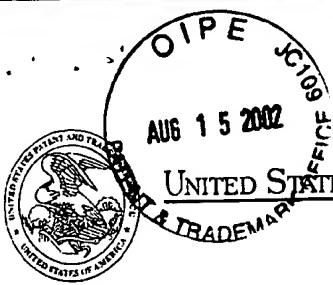
If there are any questions regarding the above, the Examiner is invited to call the undersigned.

Respectfully submitted,

INCYTE GENOMICS, INC.

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 Lynn E. Murry, Ph.D.
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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/918,624	07/30/2001	Xiao Min Schebye	PA-0033 US

CONFIRMATION NO. 3179

FORMALITIES LETTER



OC000000007673537

INCYTE GENOMICS, INC.
LEGAL DEPARTMENT
3160 PORTER DRIVE
PALO ALTO, CA 94304

Date Mailed: 03/20/2002

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE
DISCLOSURES**

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



0300
1500
BIOTECHNOLOGY
SYSTEMS
BRANCH

RAW SEQUENCE LISTING ERROR REPORT

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 09/918,624A
Source: OIE
Date Processed by STIC: 1/26/2002

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION QUESTIONS, PLEASE CONTACT MARK SPENCER, 703-308-4212.

FOR SEQUENCE RULES INTERPRETATION, PLEASE CONTACT ROBERT WAX, 703-308-4216.

PATENTIN 2.1 e-mail help: patin21help@uspto.gov or phone 703-306-4119 (R. Wax)

PATENTIN 3.0 e-mail help: patin3help@uspto.gov or phone 703-306-4119 (R. Wax)

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE CHECKER VERSION 3.1 PROGRAM, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW FOR ADDRESS:

<http://www.uspto.gov/web/offices/pac/checker>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom.

Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<<http://www.uspto.gov/ebc/efs/downloads/documents.htm>>), EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202
3. Hand Carry directly to:
U.S. Patent and Trademark Office, Technology Center 1600, Reception Area, 7th Floor, Examiner Name, Sequence Information, Crystal Mall One, 1911 South Clark Street, Arlington, VA 22202
Or
U.S. Patent and Trademark Office, Box Sequence, Customer Window, Lobby, Room 1B03, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202
4. Federal Express, United Parcel Service, or other delivery service to: U.S. Patent and Trademark Office, Box Sequence, Room 1B03-Mailroom, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202

Revised 01/29/2002

Due 8/20

PA-C033 US.



OIPE

RAW SEQUENCE LISTING
PATENT APPLICATION: US/09/918,624A

DATE: 01/26/2002
TIME: 12:53:20

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Output Set: N:\CRF3\01252002\I918624A.raw

Does Not Comply
Corrected Diskette Needed

1 <110> APPLICANT: Schebye, Xiao Min
2 Sornasse, Thierry
4 <120> TITLE OF INVENTION: CDNAS EXPRESSED IN ADIPOCYTE DIFFERENTIATION
6 <130> FILE REFERENCE: PA-0033 US
8 <140> CURRENT APPLICATION NUMBER: US/09/918,624A
9 <141> CURRENT FILING DATE: 2002-01-04
11 <160> NUMBER OF SEQ ID NOS: 71
12 <170> SOFTWARE: PERL Program
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15 <211> LENGTH: 5041
16 <212> TYPE: DNA
17 <213> ORGANISM: Homo sapiens
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(global error)
This indicates an error
regarding
numerical identifier
C3097.

C3097 and
response are
mandatory
whenever
C3087 has
a response.

RAW SEQUENCE LISTING
PATENT APPLICATION: US/09/918,624A

DATE: 01/26/2002
TIME: 12:53:20

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Output Set: N:\CRF3\01252002\I918624A.raw

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RAW SEQUENCE LISTING
PATENT APPLICATION: US/09/918,624A

DATE: 01/26/2002
TIME: 12:53:20

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FUJ Like all and all the bases are present in the sequence listing
the sequence is not following to the rule of coding sequence
so the error is presented in the <210> to <223> fields of
each sequence using n or Xaa.

The types of errors shown exist throughout
the sequence listing. Please check subsequent
sequences for similar errors.

(IMPORTANT)

RAW SEQUENCE LISTING
PATENT APPLICATION: US/09/918,624A

DATE: 01/26/2002
TIME: 12:53:20

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Output Set: N:\CRF3\01252002\I918624A.raw

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RAW SEQUENCE LISTING
PATENT APPLICATION: US/09/918,624A

DATE: 01/26/2002
TIME: 12:53:20

Input Set : D:\Pa0033.txt
Output Set: N:\CRF3\01252002\I918624A.raw

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VERIFICATION SUMMARY
PATENT APPLICATION: US/09/918,624A

DATE: 01/26/2002
TIME: 12:53:21

Input Set : D:\Pa0033.txt
Output Set: N:\CRF3\01252002\I918624A.raw

L:8 M:270 C: Current Application Number differs, Replaced Current Application Number
L:9 M:271 C: Current Filing Date differs, Replaced Current Filing Date
L:22 M:256 W: Invalid Numeric Header Field, Identifier <309> Expected, SEQ:1
L:117 M:256 W: Invalid Numeric Header Field, Identifier <309> Expected, SEQ:2
L:333 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:3
L:340 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:3
L:349 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:3
L:350 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:3
L:400 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:3
L:401 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:3
L:542 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:6
L:570 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:6
L:580 M:256 W: Invalid Numeric Header Field, Identifier <309> Expected, SEQ:7
L:758 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:11
L:759 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:11
L:760 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:11
L:761 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:11
L:773 M:256 W: Invalid Numeric Header Field, Identifier <309> Expected, SEQ:12
L:856 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:13
L:872 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:13
L:1001 M:256 W: Invalid Numeric Header Field, Identifier <309> Expected, SEQ:18
L:1096 M:256 W: Invalid Numeric Header Field, Identifier <309> Expected, SEQ:19
L:1191 M:256 W: Invalid Numeric Header Field, Identifier <309> Expected, SEQ:21
L:1256 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:22
L:1257 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:22
L:1281 M:256 W: Invalid Numeric Header Field, Identifier <309> Expected, SEQ:23
L:1329 M:256 W: Invalid Numeric Header Field, Identifier <309> Expected, SEQ:24
L:1378 M:256 W: Invalid Numeric Header Field, Identifier <309> Expected, SEQ:25
L:1425 M:256 W: Invalid Numeric Header Field, Identifier <309> Expected, SEQ:26
L:1504 M:256 W: Invalid Numeric Header Field, Identifier <309> Expected, SEQ:27
L:1585 M:256 W: Invalid Numeric Header Field, Identifier <309> Expected, SEQ:28
L:1631 M:256 W: Invalid Numeric Header Field, Identifier <309> Expected, SEQ:29
L:1683 M:256 W: Invalid Numeric Header Field, Identifier <309> Expected, SEQ:30
L:1767 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:31
L:1774 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:31
L:1810 M:256 W: Invalid Numeric Header Field, Identifier <309> Expected, SEQ:33
L:2015 M:256 W: Invalid Numeric Header Field, Identifier <309> Expected, SEQ:37
L:2117 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:40
L:2164 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:41
L:2178 M:256 W: Invalid Numeric Header Field, Identifier <309> Expected, SEQ:42
L:2231 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:43
L:2232 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:43
L:2233 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:43
L:2316 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:44
L:2317 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:44
L:2429 M:256 W: Invalid Numeric Header Field, Identifier <309> Expected, SEQ:47
L:2453 M:256 W: Invalid Numeric Header Field, Identifier <309> Expected, SEQ:48
L:2672 M:256 W: Invalid Numeric Header Field, Identifier <309> Expected, SEQ:49

VERIFICATION SUMMARY
PATENT APPLICATION: US/09/918,624A

DATE: 01/26/2002
TIME: 12:53:21

Input Set : D:\Pa0033.txt
Output Set: N:\CRF3\01252002\I918624A.raw

L:2730 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:50
L:2765 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:51
L:2766 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:51
L:2778 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:51
L:2785 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:51
L:2817 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:52
L:2820 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:52
L:2832 M:256 W: Invalid Numeric Header Field, Identifier <309> Expected, SEQ:53
L:2871 M:256 W: Invalid Numeric Header Field, Identifier <309> Expected, SEQ:54
L:2961 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:56
L:3078 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:58
L:3088 M:256 W: Invalid Numeric Header Field, Identifier <309> Expected, SEQ:59
L:3165 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:60
L:3168 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:60
L:3199 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:61
L:3230 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:62
L:3304 M:256 W: Invalid Numeric Header Field, Identifier <309> Expected, SEQ:63
L:3352 M:256 W: Invalid Numeric Header Field, Identifier <309> Expected, SEQ:64
L:3507 M:256 W: Invalid Numeric Header Field, Identifier <309> Expected, SEQ:67